

## **PUBLIC HEARING MINUTES**

### **Ordinance 12-043; relating to extended hours-malt beverage sales**

A public hearing to obtain comments from citizens regarding the above Ordinance was held in the Bracken County Courtroom on Wednesday, August 22, 2012 at 10:00 a.m.

Magistrates Present:

Carl Allen

Doug Smith

David Kelsch

David Hughes

Dennis Jefferson

Scotty Lippert

Clark Hennessey

John Corlis

There were 20 Citizens in attendance

Judge Executive Bush called the meeting to order and informed those in attendance that the floor was open to any public comment regarding Ordinance 12-04; regarding extended hours for malt beverage sales in Bracken County.

Pat Taylor advised that 10 a.m. is not a convenient time for a public hearing for citizens with the percentage of the citizens that work. He also advised that he had been asked by several to attend and speak on their behalf. He spoke to several citizens, business owners, and EMT's to retain information. He spoke of Bracken County being a very rural area and the lack of designated drivers in this day and time and place. He commended the Bracken County Sheriff's Office for their work and stated that the Sheriff and deputies do not need the extra work load associated with the extra hour of sales each night, with one deputy on duty each night.

Frank Baker addressed the difference in views among citizens, but he would like to be open until 1:30 a.m. He advised that the Constitution says that all are equal and he should be considered to have the right to be open until 1:30 a.m. There are hard times in the county, and he is trying to make his business work. He is asking for 1 hour per day. He advised that people leave to go to Augusta to be out longer, if he closed at 1:30 a.m. then they would only be able to go home when they leave. He would just like to have the same opportunity as Augusta.

Ron Moser advised that alcohol is a problem in society. There is drunk driving and as a minister he deals with alcoholism in families, and families of lost loved ones due to vehicle accidents involving alcohol. One extra hour could enhance the DUI statistics in Bracken County.

Frank Baker said there have been no problems with his establishment or those leaving his establishment in the past 12 years. He states that there are a lot of designated drivers that are served soda for free at his establishment. He serves breakfast as well as coffee afterwards that allows people to sober before leaving. He has a lot of people that come to his establishment that do not ever drink alcohol. He just wants the same opportunity as Augusta for the extended hour.

Rick Figgins stated that when some patrons leave Roosters, they miss the curve at the bottom of the hill in Milford and knock on his door.

Michael Cannon asked the court not to pass the extended hours.

Janice French stated to the court and the public that she feels that all establishments should be treated equal in the county. There is no difference with Augusta bars being open until 1-1:30 than bars in Milford, Oakland, or Brooksville.

Sandra Williams stated to the magistrates that more than just church people vote them in and they need to consider all opinions. She advised that she served on Augusta City Council when they implemented the extended hours and they went through the same public hearings and such. Augusta had no problems with the transition. She stated that most of the patrons in the bar establishments in Augusta are from out in the County area, not city residents.

Pat Taylor advised that Augusta is a Class 4 city and the police Department is seconds away. He just feels like if this is passed it would just slip Sunday Sales in the backdoor so to speak. The Court is always struggling with the monthly jail bill and it could definitely increase.

Michael Clark, County Attorney stated that he deals with the effects of alcohol every Tuesday in Bracken District Court. He stated alcohol isn't just about driving under the influence but it also contributes to domestic assaults and child abuse. He presented statistics of Bracken County DUIs over an 18 month period. These DUIs were broken down into time frames from 6 pm to 9 pm was .14; that the average breathalyzer reading from 9 pm to 12 am was .15 and that the average breathalyzer 12 am to 3 am was .16. The statistics also showed that the later the DUI the greater the percentage of DUIs above .15. The County Attorney stated that by expanding the hours to serve alcohol he would expect the DUIs from 12 am to 3 am to be even higher than those indicated in the sample he had taken from previous years. He encouraged the Court not to expand the hours of sale.

Therefore, it is assumed the Bracken County Fiscal Court move forward with the Second Reading and Adoption of this ordinance.

There being no further business, the public hearing was adjourned, Second reading and  
Vote on Ordinance #12-04 will be held under old business.

This 22<sup>nd</sup> day of August, 2012.

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Bracken County Judge Executive

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Bracken County Fiscal Court Clerk